

MINUTES OF THE REGULAR CITY COUNCIL MEETING
TUESDAY- -JANUARY 20, 2009- -7:30 P.M.

Vice Mayor deHaan convened the Regular Meeting at 7:35 p.m. Councilmember Gilmore led the Pledge of Allegiance.

ROLL CALL - Present: Councilmembers deHaan, Gilmore, Matarrese, and Tam - 4.

Absent: Mayor Johnson - 1. [Note: Mayor Johnson was at the U.S. Conference of Mayors in Washington, D.C.]

AGENDA CHANGES

None.

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY AND ANNOUNCEMENTS

(09-023) Vice Mayor deHaan stated the Presidential inauguration was inspirational; today is time for Americans to renew their dedication to the country.

(09-024) Proclamation recognizing Alameda Hospital for its extraordinary efforts in volunteering excellent healthcare services to the City's citizens and employees.

Vice Mayor deHaan read and presented the proclamation to Deborah E. Stebbins, Alameda Hospital Chief Executive Officer.

Ms. Stebbins thanked Council for the proclamation; introduced Alameda Hospital staff and Board Members.

Board President Jordon Battani thanked Council for recognizing the efforts made by hospital staff; stated the hospital is in a position to offer an increased level of health care services.

Vice Mayor deHaan stated Alameda residents are supportive of the hospital; that he looks forward to a long partnership.

(09-025) Proclamation declaring January 20, 2009 as Encinal Jets Day.

Vice Mayor deHaan stated that he attended Encinal High School; the school was very proud of going to the Northern California Championship in the late 1950's and early 1960's; both Encinal and Alameda High Schools have very successful sport programs; read and presented the proclamation to Coach Joe Tenorio.

Mr. Tenorio thanked Council for the proclamation and introduced team members.

(09-026) Presentation by Alameda County on upcoming retrofit of Alameda-Oakland bridges.

Alameda County Supervisor Alice Lai-Bitker introduced Bill Lepere, Alameda County Public Works Deputy Director, who gave a Power Point presentation.

Councilmember Matarrese stated residents have complained about the banging noise when large vehicles cross a leaf on the High Street Bridge; inquired whether the proposed work would dampen some of the noise.

Mr. Lepere responded that he assumes some improvement would be made.

Councilmember Matarrese requested the County to provide specific information on the matter.

Councilmember Gilmore inquired whether the proposed work would be structural and not add capacity, to which Mr. Lepere responded in the affirmative.

Councilmember Tam inquired when the Fruitvale Bridge work is anticipated to begin.

Mr. Lepere responded the Fruitvale Bridge is not included in the proposed project; stated the work is still under design.

Councilmember Tam inquired about the status of reopening the Glascok rail line on the Oakland side, to which Mr. Lepere responded that he does not know.

Vice Mayor deHaan inquired what would be the retrofitting level for the bridges, Mr. Lepere responded the retrofitting would be at a level considered for a major event.

Robb Ratto, Park Street Business Association (PSBA), thanked the County for working with the City and PSBA; stated the Park Street Bridge was fully closed for a number of months twelve years ago; PSBA is in agreement with the bridge closure schedule.

Daniel Woldesenbt, Alameda County Public Works Director, stated the Fruitvale Bridge is under design; the Fruitvale Bridge has no overhang; the County wants to ensure that one bridge would withstand a larger earthquake; the County is doing a lifeline design instead of a no-collapse design; the lifeline design is a \$45 million project; the County does not have funding and needs to delay the project; the Fruitvale Bridge no-collapse design would be incorporated into the lifeline design; the County has done some work on the [High Street] noise dampening issue; the noise will be continually monitored.

Councilmember Matarrese stated that he observed the noise when a bus crossed the High Street Bridge.

Mr. Woldesenbt stated adjustments have been made; that he has not heard any complaints for a year.

CONSENT CALENDAR

Vice Mayor deHaan announced that the Minutes [paragraph no. 09-027] and the Agreement with E.S.O. Solutions [paragraph no. 09-029] were removed from the Consent Calendar for discussion.

Councilmember Gilmore moved approval of the remainder of the Consent Calendar.

Councilmember Matarrese seconded the motion, which carried by unanimous voice vote - 4. [Absent: Mayor Johnson - 1.] [Items so enacted or adopted are indicated by an asterisk preceding the paragraph number.]

(09- 027) Minutes of the Regular City Council Meeting held on December 16, 2008; the Special Joint City Council and Community Improvement Commission Meeting and the Regular City Council Meeting held on January 6, 2009; and the Special City Council Meeting held on January 13, 2009.

Councilmember Gilmore moved approval of the minutes with correction to Page 5, changing the word "disciple" to discipline.

Councilmember Matarrese seconded the motion, which carried by unanimous voice vote - 4. [Absent: Mayor Johnson - 1.]

(*09-028) Ratified bills in the amount of \$3,574,163.99.

(09-029) Recommendation to authorize the City Manager to execute an Agreement with E.S.O. Solutions for Ambulance Billing Services and terminate the Toomay Technologies, Inc. Contract.

Councilmember Matarrese inquired whether the current Contract problems are with fee collection or just processing.

The EMS Director responded discrepancies were noted in reporting patient care and billing errors; stated the timeframe for correction is not acceptable.

Councilmember Matarrese requested that information be provided on uncollected billing in order to have some measurement going forward.

The EMS Director stated the proposed Contract includes remedies regarding the issues; timeframe requirements would be provided for correcting discrepancies.

Councilmember Matarrese moved approval of authorizing the City Manager to terminate an existing agreement with Toomay Technologies, Inc. and execute an agreement with E.S.O. Solutions.

Councilmember Tam seconded the motion, which carried by unanimous voice vote - 4. [Absent: Mayor Johnson - 1.]

CITY MANAGER COMMUNICATIONS

(09-030) The City Manager stated that the Public Utilities Board (PUB) is conducting a survey regarding changing the name of Alameda Power & Telecom; options include Alameda Municipal Power (AMP); Alameda Power (AP); Alameda Green Power (AGP); Alameda Municipal Electric (AME); and Alameda Community Power (ACP); Alameda Green Electric was rejected because the acronym would be AGE; corporate identification would meet three criteria: 1) cost effective; 2) quickly implemented; and 3) endurance; no logo change is proposed; the PUB will make the final determination; residents can express their preference on the website.

Councilmember Tam stated the legal name is still the Bureau of Electricity; the name change would be for "doing business as;" customers will need to have their account number in order to participate in the poll.

REGULAR AGENDA ITEMS

(09-031) Resolution NO. 14298, "Appointing Ellen Hui as a Member of the Youth Advisory Commission." Adopted.

Councilmember Matarrese moved adoption of the resolution.

Councilmember Tam seconded the motion; the motion carried by consensus - 4. [Absent: Mayor Johnson 1.]

The City Clerk administered the Oath and presented a Certificate of Appointment to Ms. Hui.

(09-032) Public Hearing on Housing and Community Development needs for Community Block Grant Fiscal Year 2009-2010 Annual Plan.

The Community Development Program Manager gave a Power Point presentation.

Vice Mayor deHaan opened the public portion of the hearing.

Speakers: Cyndy Wasko, Social Services Human Relations Board (SSHRB) President; Doug Biggs, Alameda Point Collaborative / SSHRB; Karuna Jaggar, Women's Initiative for Self Employment.

There being no further speakers, Vice Mayor deHaan closed the public portion of the hearing.

Councilmember Tam inquired whether a 30% increase in need is anticipated and whether the same allocation is expected.

Ms. Wasko responded July through November figures show a 30% increase in need for food; stated the School District advises that there is an 11% increase in homeless families needing clothing and transportation vouchers.

Vice Mayor deHaan stated that needs are concerning.

The Community Development Program Manager stated that the City's public services allocation would be capped at 15% plus prior year's program income; an additional \$9,000 was given to the Food Bank this year.

The City Manager stated the City cannot spend more than the 15% cap [on services].

Councilmember Tam inquired whether staff can request an additional funding allocation or projects the amount to be the same as prior years.

The Community Development Program Manager responded the City does not have the ability to request more funding; stated staff is requesting to change the [service] cap to 25% because of the economy.

Councilmember Matarrese inquired whether the current plan could be adjusted based upon what is going to happen within the next two or three months.

The Community Development Program Manager responded the plan would be published in April; stated funding starts in July; the City has the ability to do an amendment if there is a change.

Councilmember Matarrese stated State employees are being laid off and IOU's are anticipated which would increase the need.

Councilmember Gilmore thanked the SSHRB and staff for the hard work; stated that she appreciates the creativity and initiative.

Vice Mayor deHaan stated last year there was more need than could be filled.

The Community Development Program Manager stated the issue is always the case.

Vice Mayor deHaan stated the City was able to obligate additional funds.

The Community Development Program Manager stated additional funds were from loan repayments.

(09-033) Public Hearing to consider certifying a Final Environmental Impact Report (EIR), approving the proposed Transportation Element General Plan Amendment, and rescinding the 1991 Transportation Element; and

(09-033 A) Resolution No. 14299, "Making Findings regarding Environmental Impacts and Mitigation Measures, Making Findings Concerning Alternatives, Adopting a Mitigation Monitoring and

Reporting Program and Adopting a Statement of Overriding Considerations in Accordance with the California Environmental Quality Act for the Proposed Transportation Element General Plan Amendment (State Clearinghouse #2007072075)." Adopted; and

(09-033 B) Resolution No. 14300, "Certifying the Final Environmental Impact Report for the Transportation Element General Plan Amendment (State Clearinghouse #2007072075)." Adopted; and

(09-033 C) Resolution No. 14301, "Approving a General Plan Amendment to Adopt a New Transportation Element of the General Plan and Rescind the 1991 Transportation Element." Adopted; and

(09-033 D) Resolution No. 14302, "Approving the City of Alameda Pedestrian Plan." Adopted.

The Public Works Director, Supervising Engineer, and Planning and Building Director gave a Power Point presentation.

Vice Mayor deHaan inquired what was the Transportation Commission and Planning Board vote.

The Public Works Director responded that all four Transportation Commission members voted in favor of requiring a General Plan Amendment (GPA); stated the six Planning Board members voted five to one [which is the staff recommendation].

Councilmember Matarrese inquired which recommendation would be more streamlined.

The Planning and Building Director responded the Planning Board recommendation.

Councilmember Gilmore inquired whether the first move would be to remove on-street parking during peak hours under the Planning Board's recommendation, to which the Planning and Building Director responded in the affirmative.

Councilmember Gilmore inquired whether parking would be removed permanently if a street were widened.

The Planning and Building Director responded parking would be removed only on a regional or island arterial identified in the Transportation Element Street Classification System.

Councilmember Gilmore inquired whether a right turn lane could happen on any street, to which the Planning and Building Director responded in the affirmative.

Councilmember Tam inquired whether a GPA generally accompanies a Disposition and Development Agreement (DDA).

The Planning and Building Director responded just for a change in the land use designation, not a policy; stated a GPA is needed from time to time for a specific project.

Councilmember Tam inquired whether a GPA could be made in a streamlined fashion, to which the Planning and Building Director responded possibly.

Vice Mayor deHaan inquired how long the process would take, to which the Planning and Building Director responded approximately six months depending on whether an environment review would be needed.

Vice Mayor deHaan inquired how the proposal would affect existing projects.

The Planning and Building Director responded entitled projects would not be affected.

Councilmember Gilmore stated parking has always been a hot topic; inquired how congestion and on-street parking removal would be balanced.

The Planning and Building Director responded policies would need to be reviewed; stated the Environmental Impact Review (EIR) focuses on transportation, not parking.

Councilmember Gilmore inquired whether the Planning Board would balance removing parking versus street widening; further inquired whether the matter would need to go to the Transportation Commission also.

The Planning and Building Director responded transportation issues are referred to the Transportation Commission; stated the Planning Board would analyze everything else.

The Transportation Coordinator continued the Power Point presentation.

Vice Mayor deHaan opened the public portion of the hearing.

Speakers: Michael J. Torrey, Alameda; John Knox-White, Transportation Commission Chair; Michael Krueger, Transportation Commission Vice Chair (submitted handout); Audrey Lord-Hausman, Pedestrian Friendly Alameda; David Kirwin, Alameda; Jon Spangler, Alameda; Lucy Gigli, Bike Alameda.

There being no further speakers, Vice Mayor deHaan closed the public portion of the hearing.

Vice Mayor deHaan noted that the Pedestrian Plan would be addressed first.

Councilmember Matarrese stated the report is comprehensive; inquired whether there are ways to increase the reasons why people walk.

The Transportation Coordinator responded the City's streets are considered to be pedestrian friendly; stated one goal is to increase the number of trips, especially for utilitarian purposes; educational programs target people who want to change from the automobile to another mode of transportation.

Councilmember Matarrese stated that he would like to consider spending the \$1 million [for the estuary crossing project] in ways that would serve more people; the City might benefit more by taking 300 children out of a car between Amelia Earhart Elementary School and Lincoln Middle School.

The Transportation Coordinator stated school trips are within the Island; the estuary crossing project would relieve congestion for trips going on and off the Island.

Councilmember Matarrese stated Council should consider whether \$1 million should be spent on something that will never happen and would benefit a few people; reducing Bay Farm Island car traffic would have a greater impact; that he would like the matter to be considered and studied.

Vice Mayor deHaan stated approximately \$250,000 has already been spent on the estuary crossing; that he is not sure what point the estuary crossing should not be in the equation.

Councilmember Tam stated that Americans with Disabilities (ADA) needs were assessed last year; inquired whether there is some way to overlap and meet the multiple objectives so that the City gets the most for the dollar.

The Transportation Coordinator stated the ADA Transition Plan is a required document; the proposed Pedestrian Plan is not a required document but goes above and beyond what is required by the ADA; the proposed Pedestrian Plan does not include ADA projects, except audible pedestrian signals, and is not required to be funded.

The City Manager stated Council is indicating the proposed plan is a good tool and staff should look at high priority projects and the use of the \$1 million.

Councilmember Tam moved [adoption of the resolutions] certifying the EIR with the Transportation Element as recommended by the Transportation Commission with respect to Policy 4.4.2.f and approving the Pedestrian Plan and revision of the 1991 Transportation Element.

Councilmember Matarrese seconded the motion.

Under discussion, Councilmember Matarrese stated a GPA can have mitigations attached and provides a very direct policy statement about what has to be done; that he would like to have three scenarios included in the Transportation Element: 1) the project can be denied; 2) the project can be approved with a statement of overriding concern; or 3) the project can go forward with an exemption or amendment to the General Plan; Alameda does not have streets that can be widened without taking out houses or businesses, with the exception of Wilver "Willie" Stargell Avenue; parking is at a premium in Alameda; worthy projects can go through a GPA; the process sends a clear message to developers.

Councilmember Gilmore stated that she supports the motion; that she is very leery about moving forward with something that would remove parking when the balancing act between parking and widening a lane is unclear; that she has sympathy for a right-turn lane during commute hours; widening streets may result in more congestion; maintaining control throughout the community is important.

Vice Mayor deHaan questioned whether Council wants to limit the flexibility of the Planning Department for a small opportunity; stated that he does not want to create four lane roads; infrastructure is built out except for the West End.

Councilmember Matarrese stated that flexibility would not be limited; an exemption can be made if a project warrants a drastic measure; a worthy, high priority project would need an EIR that has defined timeframes; the problem is on the other side of the Tube.

Councilmember Gilmore stated traffic is the number one complaint; adding capacity would add traffic; adding capacity should only be done for a good project; inquired whether a worthy project needing an EIR could be simultaneously processed with a GPA; further inquired whether the process would be slowed down.

The Planning and Building Director responded a draft EIR would be needed in some cases to determine whether lane widening is needed.

Vice Mayor deHaan stated congestion already exists when trying to make a left-hand turn onto Park Street at Otis Drive; traffic cannot move down Otis Drive; the area has parking spaces that are not used; traffic backs up two or three blocks on Otis Drive; the choke point has not encouraged people to walk, ride bikes, or take a bus to the shopping center.

Councilmember Matarrese stated the Council and community have been adamant about having mitigation measures to accommodate traffic from new development; softening the policy does not give a clear picture of what Council wants to do.

Vice Mayor deHaan inquired whether the process is awkward or something that staff could live with.

The Public Works Director responded the concern is having some flexibility to look at potential operational issues; stated a GPA could be done; there would be a time issue and cost to the developer; the Planning Board recommendation allows the Transportation Commission, Planning Board and City Council to hear pros and cons for providing a right-turn lane; the public would be involved in the discussion; the developer would know how to develop the project; developers may be discouraged from

asking for a GPA because of costs; knowing what the public prefers is important.

On the call for the question, the motion carried by the following voice vote: Ayes: Councilmembers Gilmore, Matarrese, Tam - 3. Abstentions: Vice Mayor deHaan - 1. [Absent: Mayor Johnson - 1.]

The City Manager inquired whether Vice Mayor deHaan abstained from voting on everything.

Vice Mayor deHaan clarified that he abstained from Resolution No. 14296 and in favor of the remaining resolutions.

(09-034) Discussion of Alameda Peace Network's proposal regarding Iraq War.

The City Manager gave a brief presentation.

Vice Mayor deHaan stated President Obama intends to withdraw troops within sixteen months.

Speakers: Carl Halpern, Alameda Peace Network; Pat Flores, Alameda Peace Network; (submitted petition); Peter Frank, Alameda Peace Network.

Councilmember Gilmore stated that she appreciates the Alameda Peace Network being accommodating and flexible in amending its previous request; previous discussions were about withdrawing troops from Iraq; she does not recall discussing troops in Afghanistan and avoiding new military operations elsewhere; she would be hesitant to support said language; she would never advocate going to war but would not propose telling the President what to do in defense of the country; that she is not sure whether the financial impact to the City can be quantified; the State budget crises has more of an affect on the City; the planned budget discussions will provide a better understanding of how the City gets and spends money.

Councilmember Matarrese stated the new proposal is a good follow up to the 2006 resolution; many things discussed in the 2006 resolution came to fruition; Council will be receiving multiple budget briefings, including a Budget Workshop on February 7; discussions will highlight impacts that are a result of federal action; the price that has been assigned to the conveyance of

the former Naval Air Station is a 2006 price; the world has changed; he does not want to pay the 2006 price; citizens need to keep an eye on the Afghanistan situation to ensure that the matter does not turn into something that the Russian's experienced back in the 1980's; the issue needs to be tied directly to financial hearings.

Councilmember Tam stated teasing out specific scenarios on the amount of federal funding the City would have received if not for the war would be difficult; the 2007 Resolution was very expansive; the issue is a moving target; Council needs to be very clear on how the City would be impacted in budget deliberations.

Vice Mayor deHaan stated a sixteen month troop withdrawal was one of the President's strong platforms; Afghanistan is a concerning factor; the Russians were extremely unsuccessful and brought their economy to its knees; he has mixed emotions; the Iraq situation is heading in the right direction; the Afghanistan situation is a wait-and-see approach.

Councilmember Gilmore stated the August 2007 resolution was sent to Governor Schwarzenegger; suggested that the resolution be sent to President Obama.

Councilmember Matarrese suggested pointing out that the overall Iraq expenditure is a drain and continues to be.

Mr. Halpern stated the 2006 Resolution is vague on withdrawal timetables; there is no mention of the 180,000 contractors in Iraq; information on budgetary priorities can be provided; there is a website that translates the costs of the war to cities.

Councilmember Gilmore inquired whether a cover letter would be submitted with the resolution.

Councilmember Matarrese responded a cover letter was attached to the previous resolution.

Councilmember Tam stated that she is comfortable with reaffirming the City's commitment to peace; in 2007, Council called upon the President, Congress, Governor Schwarzenegger, and State legislatures to take immediate steps to establish a diplomatic approach ending the violence in Iraq; now there are new players; suggested the resolution be sent to new bodies.

Councilmember Matarrese requested staff to address the timeframe and contractor clarification when the matter comes back.

The City Manager stated that the matter would not be brought back; the resolution would be sent to new Government officials.

Councilmember Gilmore stated the resolution would be reissued with a cover letter that echoes President Obama's promise of a sixteen month troop withdrawal, including all interested Americans.

Councilmember Matarrese suggested including "a meaningful withdrawal."

The City Manager stated a cover letter could be attached that would incorporate the President's statements and be consistent with the Council adopted resolution.

ORAL COMMUNICATIONS, NON-AGENDA

(09-035) Jon Spangler, Alameda, stated that he looks forward to seeing more progress under the new Transportation Master Plan.

COUNCIL REFERRALS

(09-036) Discussion of bike related issues.

Councilmember Matarrese requested that Council consider giving direction on: 1) marketing and promotion of bicycle locker usage at City Hall and Civic Center garage, 2) bicycle crossing using the Fruitvale Bridge and associated bike lanes, and 3) details on implementation of bike parking on Central Avenue between Oak and Park Streets; stated last Saturday night, each sign post on the theatre side of Central Avenue had a bike attached; he is worried about the implementation of Item 1 and 3.

Vice Mayor deHaan stated the intent of a Council Referral is to place the item on a future agenda; staff would come back and advise the costs; Councilmember Matarrese's referral would be under the normal scope of the Public Works Department; that he does not know what the cost would be.

The City Manager stated additional funds have not been budgeted for bicycle locker marketing and promotion; Items 1 and 3 came

to Council for discussion; staff was directed to work with the vendor and Bike Alameda.

Vice Mayor deHaan stated the issues are important and should be discussed.

The City Manager stated an Off Agenda update could be provided on the implementation of bike parking on Central Avenue between Oak and Park Streets; staff is moving forward on the matter following Council direction; the consideration of bike crossing using the Fruitvale Bridge and associated bike lanes is not on a current work plan; the City works with the County on the matter.

The Public Works Director stated the County was contacted by Bike Alameda; the County discussed the possibility of restriping the Fruitvale Bridge to allow a bike lane with City staff; a three foot bike lane would be feasible; the minimum is four feet; five feet is encouraged.

Vice Mayor deHaan stated that he does not want to get into discussion tonight.

Councilmember Gilmore stated Council had a long, involved discussion on Items 1 and 3; suggested that staff provide an Off Agenda report; placing the matter on an agenda is premature.

Vice Mayor deHaan inquired about Item 2.

Councilmember Gilmore responded staff could pursue the matter and provide an Off Agenda report when ready; inquired whether the County started any work on the Fruitvale Bridge.

The Public Works Director responded in the affirmative; stated lifeline project funding is being pursued, which might include bike accommodations.

Councilmember Matarrese stated there is consensus to preliminary review all three items and produce an Off Agenda Report that provides a path forward on Items 1 and 3 and options for Item 2, including removing a lane of car traffic.

Vice Mayor deHaan inquired whether staff's workload would be impacted, to which the City Manager responded in the negative.

COUNCIL COMMUNICATIONS

(09-037) Councilmember Tam stated that she attended the League of California Cities East Bay Division meeting on January 15; requested that the City Clerk distribute the packet to Council because it includes good information on lobbying guidelines for the federal stimulus package; Senator Mark Desaulnier stated that cities most likely would be protected under Proposition 1A; redevelopment funds would be significantly challenged; the Legislative Analyst Office is suggesting that redevelopment is not a good investment of public money; the Senate Appropriations Committee believes that State or local economic stimulus investment funding needs to be preserved; Senator Desaulnier is a proponent of preserving transportation dollars; 18,000 to 30,000 jobs are created for every billion dollars in transportation money; the Caldecott Tunnel will be on the chopping block for funding; Dan Hatfield, Bay Area Newspaper Group Editorial Page Editor, stated that he has four staff dealing with eleven different regions; information submitted needs to be clear and precise; incorrect information needs to be corrected immediately; stated that Mr. Hatfield provided his email address.

(09-038) Councilmember Matarrese stated more boats are stored on the streets; the City has no obligation to provide free boat storage on streets.

Vice Mayor deHaan stated the problem is becoming more common; urged the Police Department to stay on top of the matter.

ADJOURNMENT

There being no further business, Vice Mayor deHaan adjourned the Regular Meeting at 11:05 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

The agenda for this meeting was posted in accordance with the Brown Act.